



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/312,992 05/17/99 JOHNSTON

S

SCOTT E JOHNSTON
16857 HUMMINGBIRD LANE
COTTONWOOD CA 96022

QM02/0522

EXAMINER

HOOK, J

ART UNIT	PAPER NUMBER
----------	--------------

3752

DATE MAILED:

05/22/01

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Interview Summary

Application No.

09/312,992

Applicant(s)

Johnston

Examiner

James F. Hook

Group Art Unit

3752



All participants (applicant, applicant's representative, PTO personnel):

(1) James F. Hook

(3) _____

(2) Mr. Johnston (Pro Se Applicant)

(4) _____

Date of Interview Apr 11, 2001

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy is given to 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No. If yes, brief description:

Claim(s) discussed: 1, 2, 5, 6, and 9

Identification of prior art discussed:

Handbook of Steel Drainage and Holcomb

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

discussed the limitations of independent claims 1, 5, and 9 with respect to the prior art, it is the examiner's position that even though the prior art sets forth desired ranges, that it also states larger diameters are known as are the spiral wound pipes, and that the prior art Handbook of Steel Drainage sets forth that it is old and well known to make pipes of diameters exceeding 15 feet, and pipes can be made of various methods including spiral wound strips, and that they can further be made into arched shapes. It was also discussed that a change in diameter of a pipe only is not considered patentable over the references without any structural difference, other than the diameter, between the claimed structure and the prior art. Therefore, it is the position of the examiner that the final rejection is valid and applicants arguments were non persuasive.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☒ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

JAMES F. HOOK
PRIMARY EXAMINER
ART UNIT 3752